

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

MEMORANDUM & ORDER

GREGORIO GIGLIOTTI,

15 CR 204 (RJD)

Defendant.

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DEARIE, District Judge.

At a status conference before this Court on March 10, 2016, defendant Gregorio Gigliotti advised the undersigned, without elaboration, that he was unhappy with his retained counsel, Raymond Granger, who has represented Mr. Gigliotti since the time of his arrest roughly one year ago. Mr. Gigliotti further advised that he could no longer afford to retain counsel and requested that the Court appoint a specific attorney to replace Mr. Granger. This Court then directed Mr. Gigliotti to submit, with Mr. Granger's assistance, a financial affidavit, and assured Mr. Gigliotti that if he appeared to qualify for CJA counsel, the Court would promptly appoint new counsel and relieve Mr. Granger of further responsibilities. No financial affidavit has been forthcoming, and Mr. Granger reports that his client has declined to meet with him. Trial on July 11, 2016, is quickly approaching. If there is to be a change in counsel, it behooves Mr. Gigliotti to allow the process to move forward to ensure a timely substitution of qualified counsel.

Whatever his motivation or strategy, in the end, Mr. Gigliotti has four options. He may: (1) resolve his differences, if any, with Mr. Granger and move forward with Mr. Granger as counsel; (2) retain new counsel of his choosing; (3) promptly file a financial affidavit and seek court-appointed counsel; or (4) elect to represent himself, a choice that is constitutionally protected but hardly in Mr. Gigliotti's interest. Should Mr. Gigliotti continue in his uncooperative posture—a posture peculiarly shared by another defendant in this case—the

scheduled trial will proceed with Mr. Granger as counsel. Accordingly, Mr. Granger is directed to provide his client with a copy of this order and to inform this Court in writing, by close of business on March 21, 2016, which of the four listed options Mr. Gigliotti has chosen.

SO ORDERED.

Dated: Brooklyn, New York
March 17, 2016

s/ RJD


RAYMOND J. DEARIE
United States District Judge